

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

CHARLES EDWARD SCOTT,
Plaintiff,

v.

FROT WORTH CITY HALL
Defendant.

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CIVIL ACTION NO. 4:22-CV-753-P

**ORDER RECOMMENDING DISMISSAL AND RETURNING CASE TO DISTRICT
JUDGE**

Pro se Plaintiff Charles Edward Scott ("Scott") filed the above-styled and numbered case on August 26, 2022 [doc. 1]. Also on August 26, 2022, Scott filed his Motion for Leave to Proceed *in forma pauperis* [doc. 3]. Thereafter, on October 3, 2022, the Court entered an Order and Notice of Deficiency [doc. 7], ordering Scott, no later than October 17, 2022, to either pay the \$402.00 filing and administrative fee or file an amended application to proceed *in forma pauperis* providing full and accurate information. As of the date of this Order, Scott has failed to do either. Consequently, the Court **RECOMMENDS** that the above-styled and numbered cause be **DISMISSED** for failing to comply with the Court's Order.

**NOTICE OF RIGHT TO OBJECT TO PROPOSED
FINDINGS, CONCLUSIONS AND RECOMMENDATION
AND CONSEQUENCES OF FAILURE TO OBJECT**

Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge's proposed findings, conclusions and recommendation within fourteen (14) days after the party has been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge's proposed findings, conclusions and recommendation to which specific objection is timely made. See 28 U.S.C. § 636(b)(1). Failure to file, by the date stated above, a specific written objection to a

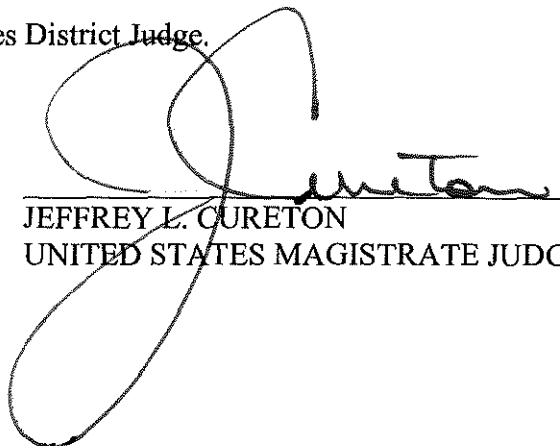
proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

ORDER

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted **until November 8, 2022**, to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

It is further **ORDERED** that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions and recommendation, be and hereby is returned to the docket of the United States District Judge.

SIGNED October 18, 2022.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE